

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 89-163-CR-KING

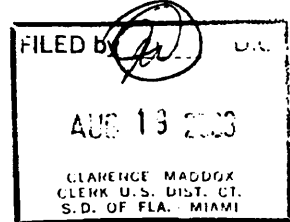
UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIE BARBER (J)
(34450-004)

Defendant.



JUDGMENT AND COMMITMENT UPON REVOCATION OF SUPERVISED RELEASE

THIS CAUSE came before the Court at a hearing for violation of supervised release on August 19, 2003. The Court finds the defendant has violated the terms of his supervised release as set forth in the petition for violation and the defendant admits same.

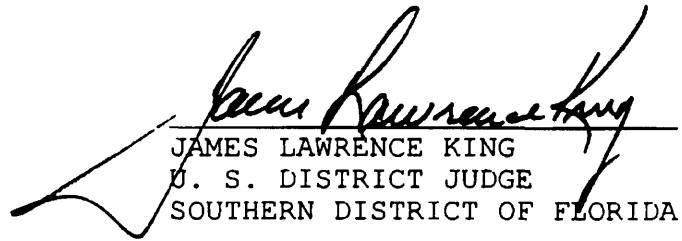
IT IS HEREBY ORDERED AND ADJUDGED that the defendant's supervised release term imposed by the court is hereby revoked and the defendant is committed to the custody of the U.S. Bureau of Prisons for a term of TWENTY-ONE (21) MONTHS with credit for time served awaiting hearing. The Court makes the following recommendation to the Bureau of Prisons: That the defendant shall participate in a Mental Health and Drug Treatment Program while incarcerated.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant be placed on supervised release pursuant to the Sentencing Reform Act

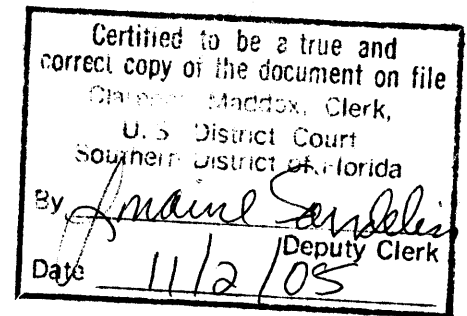
[Handwritten signature]

of 1984 for a term of TWENTY-FOUR MONTHS. As a special condition of supervised release, the defendant shall participate in a Mental Health and Drug Treatment Program as deemed necessary by the United States Probation Office.

DONE and ORDERED in chambers at the James Lawrence King Federal Justice Building, Miami, Florida, this 19th day of August 2003.


JAMES LAWRENCE KING
U. S. DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA

cc:
Charles Duross, AUSA
Hector Flores, AFD
Lisa Acosta, USPO
U.S. Marshal



UNITED STATES DISTRICT COURT

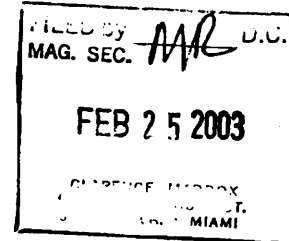
MIDDLE DISTRICT OF ALABAMA
OFFICE OF THE CLERK
POST OFFICE BOX 711
MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

February 14, 2003

Mr. Clarence Maddox
Clerk/Court Administrator
United States District Court
Federal Courthouse Square
301 North Miami Avenue
Miami, FL 33128-7788



Re: USA vs. Willie Barber
Your Case No. ~~99-109-CR-KING~~
Our Case No. M-03-10-N

Dear Mr. Maddox:

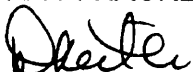
Enclosed are certified copies of the following documents:

1. Waiver of Rule 40 Hearings
2. Commitment to Another District
3. Minutes of Proceedings
4. Copy of docket sheet

Please acknowledge receipt of the above on the enclosed copy of this letter and return.

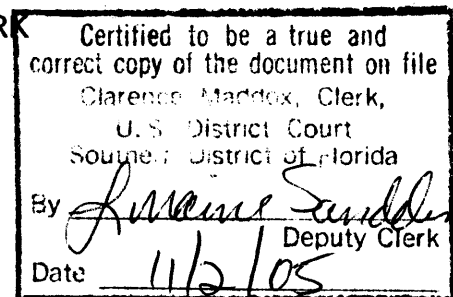
Sincerely,

DEBRA P. HACKETT, CLERK

By: 
D. Keith
Deputy Clerk

encl.

cc: U. S. Marshal
U. S. Attorney
Federal Defenders' Office



43/4

AO 466 (Rev. 1/03) Waiver of Rule 40 Hearings

UNITED STATES DISTRICT COURT

MIDDLE

DISTRICT OF

ALABAMA

UNITED STATES OF AMERICA

V.

WILLIE BARBER

Defendant

WAIVER OF RULE 40 HEARINGS
(All Criminal Cases)

JUDGE: Vanzetta Penn McPherson

CASE NUMBER: CR. M-03-10-N

I understand that charges are pending in the Southern District of Floridaalleging violation of Supervised Release and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States magistrate judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
 (2) an identity hearing to determine whether I am the person named in the charges;

- Check one only -

☐ ALL CASES EXCEPT PROBATION OR SUPERVISED RELEASE:

- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
 (4) request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty;

☒ PROBATION OR SUPERVISED RELEASE VIOLATION CASES:

- (3) a preliminary hearing (but only if I will be kept in custody, and only to be held in this district if the violation occurred here) to determine whether there is probable cause to believe a violation occurred; and
 (4) a hearing under Rule 32.1(a)(6), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release from custody.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
☐ preliminary hearing
☐ identity hearing and have been informed I have no right to a preliminary hearing
☐ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

ATTEST: A True Copy.

Certified to 2/14 . 20 03
Clerk, U.S. District Court,
Middle District of Alabama

BY

Deputy Clerk

Willie Barber
DefendantJennifer A. Hart
Defense Counsel2-13-03

Date

FILED

FEB 13 2003

CLERK

U. S. DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

COURTROOM DEPUTY'S MINUTES
MIDDLE DISTRICT OF ALABAMA

- ☒ INITIAL APPEARANCE
☐ BOND HEARING
☐ DETENTION HEARING
☐ PRELIMINARY HEARING
☒ REMOVAL HEARING (R.40)
☐ ARRAIGNMENT

DATE: 2/13/03Digital Recording: 3:38-3:43 p.m.PRESIDING MAG. JUDGE Vanzetta McPherson DEPUTY CLERK: Donna KeithCASE NO. CR. M-03-10-N DEFT. NAME: Willie BarberAUSA: J. B. Perinne DEFT. ATTY: Jennifer Hart (this proceeding only)

Type Counsel: () Retained; () Panel Counsel; () Waived; (X) CDO

PTSO: Ron Thweatt

USPO: _____

Defendant _____ does ☒ does NOT need an interpreterInterpreter present ☒ NO ☐ YES Name: _____

FEB 13 2003

CLERK Donna Keith

- ☐ kars. Date of Arrest 2-13-03 or ☒ karsr40
☒ kia. Deft. First Appearance. Advised of rights/charges. ☐ Prob/Sup Rel Violator
☐ kcns. Deft. First Appearance with Counsel
☐ Deft. First Appearance without Counsel
☐ Requests appointed Counsel
☐ kfinaff. Financial Affidavit executed ☐ to be obtained by PTSO
☒ koapptcd. ORDER appointing Community Defender Organization
☐ k20appt. Panel Attorney Appointed; ☐ to be appointed - prepare voucher
☐ Deft. Advises he will retain counsel. Has retained _____
☐ kgm. ☐ Government's ORAL (kgoralm.) Motion for Detention Hrg. ☐ To be followed by
written motion; ☐ Government's WRITTEN Motion for Detention Hrg. Filed
☐ kdmhrg. Detention Hearing ☐ held; ☐ set for _____ at _____
☐ kotempdtn. ORDER OF TEMPORARY DETENTION PENDING HEARING entered
☐ kodtn. ORDER OF DETENTION PENDING TRIAL entered
☐ kocondrls. Release order entered. Deft advised of conditions of release
☐ kbnd. ☐ BOND EXECUTED (M/D AL charges) \$ _____. Deft released (kloc LR)
☐ ☐ BOND EXECUTED (R.40 charges) - deft to report to originating district as ordered
☒ kloc. (LC) Bond not executed. Deft to remain in Marshal's custody
☐ ko. Deft. ORDERED REMOVED to originating district
☒ kwvprl. Waiver of ☒ preliminary hearing; ☒ kwvr40hrg. (Waiver of R. 40 Hearing)
☐ Court finds PROBABLE CAUSE. Defendant bound over to the Grand Jury.
☐ karr. ARRAIGNMENT ☐ HELD. Plea of NOT GUILTY entered. ☐ Set for _____
POC DATE: _____ PRETRIAL CONFERENCE DATE: _____
DISCOVERY DISCLOSURE DATE: _____
☐ krmknn. NOTICE to retained Criminal Defense Attorney handed to counsel
☐ krmvhr. Identity/Removal Hearing set for _____

U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

ATTEST: A True Copy.

Certified to _____, 2003
Clerk, U.S. District Court,
Middle District of Alabama

Deputy Clerk

*Deft. remanded to USM for transportation to USDC/SDFL

2

AO 94 (Rev. 8/97), Commitment to Another District

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

UNITED STATES OF AMERICA

V.

WILLIE BARBER

COMMITMENT TO ANOTHER DISTRICT

DOCKET NUMBER

District of Arrest

M-03-10-N

District of Offense

89-163-CR-KING

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☐ Indictment☐ Information☐ Complaint☒ Other (specify) Supervised Release

charging a violation of

U.S.C. §

DISTRICT OF OFFENSE

Southern District of Florida

FILED

DESCRIPTION OF CHARGES:

Violations of Supervised Release

FEB 13 2003

CLERK

U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

CURRENT BOND STATUS:

☐ Bail fixed at

and conditions were not met

☐ Government moved for detention and defendant detained after hearing in District of Arrest☐ Government moved for detention and defendant detained pending detention hearing in District of Offense☐ Other (specify)Representation: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ NoneInterpreter Required? ☒ No ☐ Yes Language:

MIDDLE DISTRICT OF ALABAMA

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

February 13, 2003

Date

VANZETTA PENN McPHERSON, United States Judge or Magistrate Judge

RETURN ATTEST: A True Copy

Certified to
Clerk, U.S. District Court,
Middle District of Alabama

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

Deputy Clerk

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

36

U.S. District Court
Middle District of Alabama (Montgomery)

CRIMINAL DOCKET FOR CASE #: 03-M -10-ALL

USA v. Barber
Dkt# in other court: None

Filed: 02/13/03

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

ATTEST: A True Copy.
Certified to 2/14, 20 03.
Clerk, U.S. District Court,
Middle District of Alabama
BY [Signature]
Deputy Clerk

Proceedings include all events.
2:03m 10-ALL USA v. Barber

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

=====

Case Assigned to: Mag Judge Vanzetta P McPherson

WILLIE BARBER (1)
defendant

Federal Defender
334-834-0353 fax
[COR LD NTC pda]
Federal Defender
Middle District of Alabama
201 Monroe Street
1960 RSA Tower
Montgomery, AL 36104
(334) 834-2099
FTS 834-0353

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

Proceedings include all events.
2:03m 10-ALL USA v. Barber

WILLIE BARBER

defendant

=====

UNITED STATES OF AMERICA

plaintiff

U. S. Attorneys:

James B. Perrine
334-223-7135 fax
[COR LD NTC]
U.S. Attorney's Office
P.O. Box 197
Montgomery, AL 36101-0197
(334)223-7280
FTS 223-7560

Proceedings include all events.

2:03m 10-ALL USA v. Barber

2/13/03 -- ARREST (Rule 40) of Willie Barber (dmk) [Entry date 02/13/03]

2/13/03 -- Initial appearance as to Willie Barber held before Mag Judge Vanzetta P. McPherson on 2/13/03 (Defendant informed of rights.) (Digital recording: 3:38-3:43) (dmk) [Entry date 02/13/03]

2/13/03 -- ORAL ORDER as to Willie Barber , Appointing Federal Defender as Counsel for initial appearances proceedings only (Entered by Mag Judge Vanzetta P. McPherson) (dmk) [Entry date 02/13/03]

2/13/03 1 WAIVER of Rule 40 Hearings executed by Willie Barber (dmk) [Entry date 02/13/03]

2/13/03 2 Courtroom Deputy's Minutes as to Willie Barber : Initial appearance held before Mag. Judge McPherson (Digital recording: 3:38-3:43) (dmk) [Entry date 02/13/03]

2/13/03 -- Removal hearing as to Willie Barber held before Mag Judge Vanzetta P. McPherson on 2/13/03 (Digital recording: 3:38-3:43) (dmk) [Entry date 02/13/03]

2/13/03 3 Commitment to Another District issued directing the U. S. Marshal Service to transport defendant to the Southern District of Florida as to Willie Barber (dmk) [Entry date 02/13/03]

2/14/03 -- Rule 40 documents forwarded to USDC for Southern District of Florida as to Willie Barber (dmk) [Entry date 02/14/03]

CLOSED

U.S. District Court
FLS - Southern District of Florida Miami

CRIMINAL DOCKET FOR CASE #: 89-CR-163

USA v. Barber
Assigned to: James Lawrence King

Filed: 04/07/89

Dkt # in other court: None

WILLIE BARBER (1) , DOB: 9/11/62 Prisoner # 34450-004; Spectrum Proper, Miami, Florida (no additional details provided) aka Willie Mas defendant [term 09/12/89]	Hector L. Flores FTS 530-7120 305-536-6900 15th Floor [COR LD NTC pda] Public Defender FTS 536-4559 305-530-7000 [COR LD NTC pda] William Thomas, FPD FTS 530-7120 305-536-6900 15th Floor [COR LD NTC pda] Federal Public Defender's Office 150 W Flagler Street Miami, FL 33130-1556 305-530-7000
--	---

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

U. S. Attorneys:

Patrick A. White
[term 03/11/03]
FTS 530-7087
[COR LD NTC]

Lois A. Foster-Steers, AUSA
FTS 530-6168
305-961-9203
[COR LD NTC]
Charles E. Duross
FTS 530-6168
305-961-9358
[COR LD NTC]
United States Attorney's Office
99 NE 4 Street

Proceedings include all events.

1:89CR163 USA v. Barber

CLOSED

Miami, FL 33132
305-961-9000

PTS Officer
305-808-6500
[COR LD NTC]
Pretrial Services Office
330 Biscayne Boulevard
Miami, FL 33132

Probation Officer
FTS 523-5497
305-523-5300
[COR LD NTC]
United States Probation Office
300 NE 1st Avenue
Room 315
Miami, FL 33132-2126
305-523-5300

02/13/02	---	ARREST of Willie Barber (ct) [Entry date 02/19/03]
10/31/02	39	COPY OF PAPER DOCKET SHEET as to Willie Barber, USA (sp) [Entry date 01/13/03]
10/31/02	40	PETITION and ORDER for Action on Conditions of Supervised Release as to Willie Barber : warrant to be issued (Signed by Judge James Lawrence King on 10/28/02) [EOD Date: 1/14/03] (sp) [Entry date 01/14/03]
10/31/02	41	Supervised Release WARRANT issued as to Willie Barber . (sp) [Entry date 01/14/03]
02/18/03	42	ARREST WARRANT Returned Executed as to Willie Barber on 2/13/03 (ct) [Entry date 02/19/03]
02/25/03	43	Rule 40 Documents as to Willie Barber received from USDC Montgomery Alabama (ct) [Entry date 02/26/03]
03/05/03	44	REPORT Commencing Criminal Action as to Willie Barber DOB: 9/11/62 Prisoner # 34450-004 (ct) [Entry date 03/06/03]
03/05/03	45	ORDER on Initial Appearance as to Willie Barber, a for Appointment of Public Defender Probable Cause Hearing set for 10:00 3/18/03 for Willie Barber Detention hearing set for 10:00 3/6/03 for Willie Barber ; before Duty Magistrate, , (Signed by Judge James Lawrence King on 3/4/03) Tape # 03D-13-1900 CCAP (ct) [Entry date 03/06/03]
03/06/03	46	DEFENDANT'S INVOCATION OF RIGHT TO SILENCE AND COUNSEL by Willie Barber (dg) [Entry date 03/07/03]
03/06/03	47	ORDER as to Willie Barber continued Detention Hearing for 11:00 3/10/03 for Willie Barber before Magistrate Stephen T. Brown (Signed by Magistrate Stephen T. Brown on 3/6/03) [EOD Date: 3/7/03] CCAP (dg) [Entry date 03/07/03]

Proceedings include all events.

1:89CR163

USA v. Barber

CLOSED

03/10/03 --- Detention hearing as to Willie Barber held before Magistrate Stephen T. Brown (dg) [Entry date 03/11/03]

03/10/03 48 Minutes of detention hearing held on 3/10/03 before Magistrate Stephen T. Brown as to Willie Barber ; Court Reporter Name or Tape #: 03D-20-495 (dg) [Entry date 03/11/03]

03/10/03 49 ORDER as to Willie Barber Bond set to \$5,000 PSB for Willie Barber. (Signed by Magistrate Stephen T. Brown on 3/10/03) [EOD Date: 3/11/03] CCAP (dg) [Entry date 03/11/03]

03/10/03 --- Temporary detention hearing as to Willie Barber held before Magistrate Stephen T. Brown (hd) [Entry date 03/12/03] [Edit date 03/12/03]

03/11/03 50 NOTICE of Reassignment of US Attorney. Terminated attorney Patrick A. White for USA Added Charles E. Duross (hd) [Entry date 03/12/03]

03/11/03 51 TEMPORARY ORDER OF DETENTION as to Willie Barber before Magistrate Stephen T. Brown; risk of flight/danger to community (Signed by Magistrate Stephen T. Brown on 3/10/03) Tape #03D-20-495 CCAP (hd) [Entry date 03/12/03] [Edit date 03/12/03]

03/13/03 52 ORDER as to Willie Barber that Federal Detention Center, Miami, shall permit entry of Spectrum House personnel to conduct evaluation to determine suitability of defendant for residential drug treatment at Spectrum House (Signed by Judge James Lawrence King on 3/12/03) [EOD Date: 3/13/03] CCAP (hd) [Entry date 03/13/03]

03/18/03 53 WAIVER of probation probable cause by Willie Barber (Signed by Magistrate Ted E. Bandstra on 3/18/03) [EOD Date: 3/19/03] Tape #03E24-1704 (hd) [Entry date 03/19/03] [Edit date 03/19/03]

03/20/03 54 AGREED-TO ORDER FOR IN-PATIENT TREATMENT as to Willie Barber. See Order for full details. (Signed by Magistrate Ted E. Bandstra on 3/20/03) [EOD Date: 3/21/03] CCAP (ct) [Entry date 03/21/03]

03/28/03 55 PS BOND entered by Willie Barber in Amount \$5,000.00 setting Special Conditions: Comply with additional conditions: remain at Spectrum; not to be released until evaluated and accepted into Spectrum program; once in Spectrum may not leave without premission of Spectrum staff and Probation Officer; if emergency may not leave without permission of Spectrum staff Approved by Magistrate Stephen T. Brown . (hd) [Entry date 03/31/03]

03/28/03 56 NOTICE of Assignment of Assistant Public Defender for Willie Barber . Terminated AFD Hector L. Flores assigned. (hd) [Entry date 03/31/03]

05/13/03 57 ORDER revoking bond and that defendant be remanded into the custody of the U.S. Marshal's Service pending violation proceedings as to Willie Barber (Signed by Judge James

Proceedings include all events.

1:89CR163

USA v. Barber

CLOSED

Lawrence King on 5/13/03) [EOD Date: 5/14/03] CCAP (dg)
[Entry date 05/14/03]

05/15/03 58 REPORT Commencing Criminal Action as to Willie Barber DOB: 9/11/62 Prisoner # 34450-004 (gp) [Entry date 05/16/03]

05/15/03 59 ORDER as to Willie Barber The Court Orders a no Bond Status as to the above named defendant. Setting Probable Cause Hearing for 10:00 5/30/03 for Willie Barber before Duty Magistrate (Signed by Magistrate Judge Robert L. Dube on 5/15/03) [EOD Date: 5/16/03] CCAP (gp) [Entry date 05/16/03]

05/15/03 60 ORDER as to Willie Barber appointing Federal Public Defender (Signed by Magistrate Judge Robert L. Dube on 5/15/03) [EOD Date: 5/16/03] CCAP (gp) [Entry date 05/16/03]

05/16/03 61 RETURN OF SERVICE as to Willie Barber executed on 5/14/03 Re: Order Revoking Bond. (gp) [Entry date 05/19/03]

05/30/03 63 WAIVER of probable cause hearing by Willie Barber (Signed by Magistrate Judge Robert L. Dube on 5/30/03) [EOD Date: 6/19/03] Tape # 03H-10-29 (dg) [Entry date 06/19/03]

06/18/03 62 CLERK'S NOTICE OF REASSIGNMENT OF CLOSED CASE: Case reassigned to Judge James Lawrence King for all further proceedings as to Willie Barber . (dg) [Entry date 06/19/03]

07/07/03 64 NOTICE of Hearing as to Willie Barber : Setting Final Violation Hearing for 1:30 8/19/03 for Willie Barber before Judge James Lawrence King (gp) [Entry date 07/08/03]

08/19/03 65 Minutes of Violation held on 8/19/03 before Judge James Lawrence King as to Willie Barber ; Court Reporter Name or Tape #: Barbara Medina (gp) [Entry date 08/20/03]

08/19/03 --- Final Violation Hearing held as to Willie Barber held before Judge James Lawrence King (gp) [Entry date 08/20/03]

08/19/03 66 JUDGMENT and COMMITMENT upon Revocation of Supervised Release It is Ordered and Adjudged that the Defendant's supervised release term imposed by the court is hereby revoked and the defendant is committed to the custody of the US Bureau of Prisons for a term of Twenty-One (21) Months with CREDIT for TIME SERVED awaiting hearing. The Court makes the following recommendation to the Bureau of Prisons: That the defendant shall participate in a Mental Health and Drug Treatment Program while incarcerated. It is Further Ordered and Adjudged that the defendant be placed on supervised release pursuant to the Sentencing Reform Act of 1984 for a term of Twenty-Four Months. As a special condition of supervised release, the defendant shall participate in a Mental Health and Drug Treatment Program as deemed necessary by the US Probation Office as to Willie Barber (Signed by Judge James Lawrence King on 8/19/03) [EOD Date: 8/20/03] CCAP (gp) [Entry date 08/20/03]

09/16/03 67 NOTICE OF APPEAL by Willie Barber re: [66-1] judgment order EOD Date: 8/20/03; ; Filing Fee: \$ FEE NOT PAID Copies to

Proceedings include all events.

1:89CR163

USA v. Barber

CLOSED

USCA, AUSA, USM, USPO and Counsel of Record. (ga)
[Entry date 09/17/03]

09/16/03 68 MOTION by Willie Barber to proceed in forma pauperis on appeal (ga) [Entry date 09/17/03]

09/25/03 69 TRANSCRIPT INFORMATION FORM as to Willie Barber re: [67-1] appeal received on 9/26/03 from Court Reporter. (Returned to Court Reporter Coordinator) (ga) [Entry date 09/26/03]

09/25/03 --- NOTICE of Receipt of Notice of Appeal Transmittal Letter from USCA on 9/19/03 as to Willie Barber Re: [67-1] appeal USCA Number: 03-14744-E (ga) [Entry date 09/29/03]

10/01/03 70 ORDER as to Willie Barber denying [68-1] motion to proceed in forma pauperis on appeal as to Willie Barber (1) (Signed by Judge James Lawrence King on 10/1/03) [EOD Date: CCAP] (gp) [Entry date 10/02/03]

10/27/03 71 ORDER of limited remand from USCA (certified copy) re: [67-1] appeal by Willie Barber USCA Order Date: 10/21/03 (vl) [Entry date 10/27/03]

11/13/03 72 ORDER ON REMAND as to Willie Barber the court finds excusable neglect existed to justify defendant's untimely filing of his notice of appeal; (Signed by Judge James Lawrence King on 11/12/03) [EOD Date: 11/14/03] CCAP (vl) [Entry date 11/14/03] [Edit date 11/14/03]

12/31/03 73 MOTION by Willie Barber to substitute federal public defender as Attorney, for Hearing on [73-1] motion (ga) [Entry date 01/06/04]

01/15/04 74 ORDER as to Willie Barber denying [73-1] motion to substitute federal public defender as Attorney, denying [73-2] motion for Hearing on [73-1] motion (Signed by Judge James Lawrence King on 1/15/04) [EOD Date: 1/16/04] CCAP (wc) [Entry date 01/16/04]

02/18/04 --- REQUEST from U.S.C.A. dated: 2/4/04 Re: ORIGINAL FILE Complied with on: 2/18/04; attention: Gloria Powell; consisting of 1 volume of pleadings and 1 expansion folder U.S.C.A. # 03-14744-E (ga) [Entry date 02/18/04]

02/26/04 --- ACKNOWLEDGMENT of receipt by U.S.C.A. of: ORIGINAL FILE on 2/23/04; U.S.C.A. # 03-14744-E (ga) [Entry date 02/26/04]

07/02/04 75 TRANSCRIPT filed as to Willie Barber of probation violation hearing held 8/19/03 before Judge James Lawrence King Pages: 1-21 re: [67-1] appeal . (ga) [Entry date 07/02/04]

08/16/04 76 Certificate of readiness transmitted to USCA as to Willie Barber re: [67-1] appeal by Willie Barber USCA # 03-14744-E (vl) [Entry date 08/16/04]

08/16/04 --- Transmitted record on appeal to U.S. Court of Appeals (Atlanta Office-Attn: Brenda Wiegmann) consisting of (1) Volumes of Pleadings, (4) Volumes of Transcripts and (1) Sealed Envelope containing a PSI as to Willie Barber :

Proceedings include all events.

1:89CR163 USA v. Barber

CLOSED

[67-1] appeal (v1) [Entry date 08/16/04]

08/24/04 ---

ACKNOWLEDGMENT of receipt by U.S.C.A. of: certificate of
readiness on 8/18/04; U.S.C.A. # 03-14744-E (ga)
[Entry date 08/24/04]

03/31/05 77

MANDATE OF USCA (certified copy) as to Willie Barber RE:
[67-1] appeal affirming judgment/order of the district
court Date Issued: 3/28/05 USCA Appeal #: 03-14744-EE;
Copy to Judge. (ga) [Entry date 04/01/05]

03/31/05 ---

Record on appeal returned from U.S. Court of Appeals:
[67-1] appeal by Willie Barber USCA #: 03-14744-EE (ga)
[Entry date 04/01/05]

Case No. 113C-1-3C26/3CBE JUVENILE District Off Judge/Magistr OFFENSE ON INDEX CARD				(LAST, FIRST, MIDDLE) BARBER, WILLIE a/k/a BARBER, Willie James				Case Filed Mo. Day Yr 04 07 89		Docket No. 00163-EBD-1	
U.S. TITLE/SECTION 18:922(g)(1)& 924(a)(1)(B)& 924(e)(1)				OFFENSES CHARGED Poss of firearm by convicted felon				ORIGINAL COUNTS 1		No. of Del's U.S. MAG. CASE NO. 89-2402-DATE	
I. CHARGES											
II. KEY DATE											
INTERVAL ONE KEY DATE 3/24/89 EARLIEST OF				END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL) KEY DATE 4/7/89 APPLICABLE				SUPERSEDING COUNTS KEY DATE APPLICABLE			
III. MAGISTRATE											
Search Warrant Issued Summons Issued Arrest Warrant Issued COMPLAINT Date of Arrest		DATE 3/23/89 3/23/89 3/24/89		INITIAL/NO. PRP 3/CAB PRP 3/CAB		INITIAL APPEARANCE DATE PRELIMINARY EXAMINATION OR REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT		INITIAL/NO. OUTCOME:		DISMISSED HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW	
Convicted Felon in poss of Firearm 18:922(g)(1), 924(e)(1)											
Show last names and suffix numbers of other defendants on same indictment/information:											
ATTORNEYS U. S. Attorney or Asst. ALLAN J. SULLIVAN											
Defense: 1 <input type="checkbox"/> CJA. 2 <input type="checkbox"/> Ret. 3 <input type="checkbox"/> Waived. 4 <input type="checkbox"/> Self. 5 <input type="checkbox"/> Non / Other. 6 <input checked="" type="checkbox"/> PD. 7 <input type="checkbox"/> CD											
FINE AND RESTITUTION PAYMENTS											
DATE RECEIPT NUMBER C.D. NUMBER DATE RECEIPT NUMBER C.D. NUMBER											
[XX] Docket Entries Begin On Reverse Side											
IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.											
RULE <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 40 <input type="checkbox"/> In <input type="checkbox"/> Out											
BAIL & RELEASE											
PRE-INDICTMENT											
Release Date Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> AMOUNT SET \$ 250,000 Date Set 3/24/89 <input type="checkbox"/> Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> 3rd Prty <input type="checkbox"/> Other											
POST-INDICTMENT											
Release Date Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> AMOUNT SET Date Set <input type="checkbox"/> Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> 3rd Prty <input type="checkbox"/> Other											
APPEALS FEE PAYMENTS											

DATE DOCUMENT NO		V. Docket No Def		MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT		PAGE OF		VI EXCLUDABLE DELAY		Start Date End Date		Ltr Code		Total Days	
89-00163-CR-EBD															
		(OPTIONAL) Show last names of defendants		V. PROCEEDINGS Barber											
3/23/89	a	COMPLAINT FILED.						ai							
3/23/89	b	ARREST WARRANT issued - bd set at \$250,000 Corp Sur or as mod by Judicial Officer, by mag Palermo.						ai							
03-24-89	c	REPORT commencing criminal action. #34450-004. DOB 9/11/62.						eg							
03-24-89	d	ARREST warrant ret'd exec 3/24/89.						eg							
03-24-89	e	ORDER (PRP) & ADVICE. Prelm/arr 4/3/89; FPD appt'd; Bond set @ \$250,000 CSB w/nebbia (No bond hrg held) Tape #89C-31-1735.						eg							
1989															
APR 7	1	INDICTMENT retd at Miami, FL.						cah							
18	2	ARRAIGN on 4/11/89, plea of N/G entered, tape 89B 30-910.						cah							
18	3	ORDER (LRJ 4/3/89) That arraignment is set 4/11/89 @ 10:00 a.m. Tape 89D-60-535 & 61-476. (EOD 4/24/89-CCAP).						cah							
18	4	SDO (WCT 4/11/89) 28 days to file mots.						cah							
18	5	ORDER (LRJ 4/3/89) On prel hrg on local complt. Tape 89D-60-535 & 61-476 (EOD 4/24/89-CCAP).						cah							
24	6	GOVT'S resp to SDO.						cah							
MAY 10	7	NOTICE of trial set for 2-wk pd commencing 5/30/89 & cal call for 5/16/89 @ 2:00 p.m.						vfr							
11	8	MOTION to suppr physical evidence.						vfr							
26	9	GOVT. RESPONSE to m/supress physical evidence						njf							
26	10	GOVT. UNOPPOSED m/cont. of trial						njf							
Jun 13	11	PROPOSED Voir Dire questions.						dmt							
15	12	ORDER(JLK-FOR-EBD-6/14/89)THAT case is set for trial to comm on 6/19/89 at 9:30 am before Judge James Lawrence King. (EOD-6/16/89-CCAP)						njf							
19	13	PROPOSED Jury instructions						njf							
19	14	MOTION to strike prejuducial surplusage						njf							
26	15	TRANSCRIPT of prel hrg before Mag Johnson on 4/3/89, pgs 2-16.						dmt							
July 15	16	NOTICE of sent comm on 9/1/89 at 1:30 pm						njf							
15	17	STIPULATION (JLK-FOR EBD-6/20/89)PERMITTING w/drawal of exhs						njf							
June*19	18	MINUTES of jury trial comm on 6/19/89 & cont to 6/20/89						njf							
*20	19	MINUTES of jury trial cont on 6/20/89						njf							
*19	20	RECEIPT for exhs						njf							
*20	21	JURY Instructions						njf							
*20	22	VERDICT guilty as to ct 1						njf							
*20	23	STIPULATION						njf							
*20	24	STIPULATION						njf							
24	25	CJA 24(LRJ-6/20/89)AUTH to pay amt \$40.00 for transcr. VO# 34230 (EOD-8/1/89-CCAP)						njf							
*23	26	OBJECTIONS to psi						njf							
Sept 12	27	MINUTES of sent on 9/5/89						njf							
12	28	J&C (JLK-FOR-EBD-9/12/89) IMPR 180 mo(s) & 3 yrs supervised release as to ct 1. ASSESSED \$50.00. (EOD-9/18/89-CCAP-M)						njf							
28	29	NOTICE OF APPEAL by deft from J&C entered 9/12/89 (Copies to USCA, AUSA, USM, USPD & Appellants Atty) (No Fee Required)						mcg							
Oct 17	--	ACKNOWLEDGE receipt of NOA in USCA on 10/4/89. (USCA-#89-6052)						njf							
30	30	TRANSCRIPT of trial on 6/19/89, Vol I, pgs 1-66.						dmt							
30	31	TRANSCRIPT of trial on 6/20/89, Vol 2, pgs 67-96.						dmt							
Dec 11	--	RECORD ON APPEAL trnsmt'd to USCA 1 vol plds 1 vol trnsc 1 seal envl						pv							
*NOV 30	32	CJA24(JLK 11/21/89) auth pay for transcr amt \$192.00 #37399 (EOD 12/20/89)						hr							

(CONT'D)

CONTINUED TO PAGE

For details of excludable delay see USC 3161 (b) in brackets.

A. Exam or 1 for medical or psychiatric (18 USC 42 (1) (A))

B. NARA on USC 3002

C. Status/Find findings on charges (11)

D. Inmate's post (11)(E)

E. Pretrial on (from filing hearing or 1 pretrial day (11)(F))

F. Transfer to district per 20.21 or 42 Rule 5a (11)

G. Pretrial on admission, moved 30 d after all necessary information filed and in compliance (11)

H. Misc. pretrial arrangements, probation, 1 Department (11)

I. Pretrial on (11)

J. Pretrial on (11)

K. Pretrial on (11)

L. Pretrial on (11)

M. Pretrial on (11)

N. Pretrial on (11)

O. Pretrial on (11)

P. Pretrial on (11)

Q. Pretrial on (11)

R. Pretrial on (11)

S. Pretrial on (11)

T. Pretrial on (11)

U. Pretrial on (11)

V. Pretrial on (11)

W. Pretrial on (11)

X. Pretrial on (11)

Y. Pretrial on (11)

Z. Pretrial on (11)

AA. Pretrial on (11)

AB. Pretrial on (11)

AC. Pretrial on (11)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

BARBER, WILLIE

AO 256A

89-00163-EBD

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1990</u>	(Document No.)				
Jan 12	-- USCA ack receipt of ROA (USCA #89-6052) (1 vol pldgs, 3 vols transc, & 1 sealed envelope).				CS
Aug 16	33 MANDATE (USCA-8/13/90) AFFIRMING jdmt of Dist Court w/opinion (USCA #89-6052), (4 vols ROA & 1 sealed envelope exhs retd) (cy to Judge).				CS
<u>1991</u>					
Sept 13	34 APPLICATION to proceed without prepayment of costs & aff in supp				lel
<u>1993</u>					
JUL 2	35 MOTION to correct an illegal sent.				ddg
DEC 10	36 MOTION to correct an illegal sent.				ddg
<u>1994</u>					
JAN 28	37 GOVT'S RESPONSE to M/correct illegal sent.				ddg
FEB 7	38 OBJECTIONS to Govt's M/dism Rule 35 mot.				ddg

Certified to be a true and correct copy of the document on file
 Clarence M. Moxley, Clerk,
 U. S. District Court
 Southern District of Florida
 By 11/2/05
 Date Amine Deputy Clerk Sandelin

This Docket Sheet Has
 Been Scanned as Docket
 Entry No. 39

Interval Start Date Ltr. Total
 (per Section 111) End Date Code Days